

# United States District Court

FEB 26 2020

SOUTHERN

DISTRICT OF  
McALLEN DIVISION

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

## CRIMINAL COMPLAINT

Eleuterio De La Cruz-Vicente *PRINCIPAL* Mexico  
YOB: 1995  
Alma Leticia Rosales-Rios Mexico  
YOB: 1983

Case Number:  
M-20-0538 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 25, 2020 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Geremias Castro-Lux and Ottoniel Lopez-Vicente, both citizens and nationals of Guatemala, along with two (2) other undocumented aliens, for a total of four (4), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempted to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, to wit: a residence located in Donna, Texas

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY

I further state that I am a(n) U.S. Border Patrol Agent and that this complaint is based on the following facts:

On February 16, 2020, Border Patrol Agents received information of a possible stash house used to harbor undocumented aliens located at 13612 Saucer Dr. in Donna, Texas.

On February 18, 2020, agents conducted surveillance at the suspected stash house and observed a Chevrolet Equinox parked at the residence. Record checks revealed the Equinox was registered to Alma Leticia Rosales-Rios, who returned with previous administrative alien smuggling history.

Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No

approved by AUSA Francis E. Bhele  
on 2/26/2020.

*[Signature]*

Signature of Complainant

Nicolas Cantu Jr Border Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

February 26, 2020  
Date

4:13pm

at McAllen, Texas  
City and State

Peter E. Ormsby, U. S. Magistrate Judge  
Name and Title of Judicial Officer

*[Signature]*  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-20-0538 -M**

**RE: Eleuterio De La Cruz-Vicente  
Alma Leticia Rosales-Rios**

**CONTINUATION:**

On February 25, 2020, agents continued surveilling the suspected stash house when they observed two male subjects, later identified as Eleuterio De La Cruz-Vicente and Ottoniel Lopez-Vicente, depart in a pickup truck and travel to a hardware store. A short time later, agents observed the same Equinox, from the suspected stash house, picking up De La Cruz and Lopez at the hardware store. Agents proceeded to follow the Equinox but lost it for a few minutes in traffic. Once agents regained visual, they observed the Equinox traveling back to the suspected stash house. At the house, agents observed De La Cruz exiting the Equinox and entering the home for a brief moment.

Agents then observed the Equinox departing the suspected stash house. At this time, agents contacted the Hidalgo County Sheriff's Office (HCSO) to assist with a traffic stop. HCSO Deputies conducted a traffic stop on the Equinox for speeding.

Agents approached the vehicle and identified themselves as Border Patrol Agents. The driver, De La Cruz was questioned regarding his suspected involvement in human smuggling to which he admitted to dropping off one alien at a dollar general store. Agents read De La Cruz his Miranda Rights and he freely stated to harboring three additional aliens at his residence. De La Cruz provided agents with written consent to search his home. Agents conducted an immigration inspection on both De La Cruz and Rosales, who was sitting in the front passenger seat, and both were determined to be undocumented aliens.

*LOCATED AT/NEAR EDINBURG, TX ncs*

Agents responded to the Dollar General store and encountered Lopez at the store. Agents approached Lopez and after an immigration inspection determined he was an undocumented alien.

Agents along with HCSO proceeded to the suspected stash house and discovered three male subjects inside a bedroom. Agents performed an immigration inspection on all three subjects and all were determined to be undocumented aliens.

**PRINCIPALS**

Eleuterio De La Cruz-Vicente and Alma Leticia Rosales-Rios were read their Miranda Rights. They understood their rights and each provided a sworn statement.

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**CONTINUATION:**

De La Cruz, a citizen of Mexico, stated he had been harboring aliens for about two months but not every day. De La Cruz admitted he has harbored around fifteen illegal aliens and would get paid \$100 or \$150 for each person. De La Cruz picked them all up at the H-E-B and took them to his house. De La Cruz explained he took care of them, washed their clothes, provided food and told them in which room they would stay. De La Cruz explained his wife also provided food and knew about the illegal aliens. According to De La Cruz, his wife Rosales, would get mad but told her it would just be until he finished fencing the property. De La Cruz claimed he would meet someone at the Dollar Tree store to deliver the persons.

Rosales, a citizen of Mexico, stated that her husband De La Cruz, brought the people who have been staying there a few days. She didn't know the people and got mad at her husband for having them in the home. Rosales told her husband she didn't want them there.

**MATERIAL WITNESSES**

Geremias Castro-Lux and Ottoniel Lopez-Vicente were read their Miranda Rights. Both understood their rights and each provided a sworn statement.

Castro, a citizen of Guatemala, stated his father made the smuggling arrangements for 90,000 quetzals. Castro traveled by bus until arriving to Reynosa, Tamaulipas, Mexico where he stayed at a house. Two guys transported him and four others to the Rio Grande River. The same guys crossed them into the United States on a raft and told them to hide underneath a house until they received a call to be picked up. A lady driving a four door minivan picked them up and took them to a house. A gentlemen at the house gave them clothes, a blanket and told them where to sleep and shower. The gentleman also provide food for them. The gentleman's wife prepared the food and told them to use the restroom if they needed. According to Castro, the gentleman's wife knew they were illegally aliens. Castro could only leave the room if using the restroom or when being provided food.

Castro identified De La Cruz, through a photo lineup, as the gentleman that took care of them.

Castro identified Rosales, through a photo lineup, as the lady that prepared the food.

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**CONTINUATION:**

Lopez, a citizen of Guatemala, stated he made the smuggling arrangements but had not been told how much it would cost. Lopez did pay a \$2,300 fee to cross the river into the United States. Lopez claimed he crossed along with seven others. They were put on a raft and told to run after crossing. A female picked four of them up and they were transferred to another vehicle with a male driver. They were taken to the trailer where the male driver lived. The male driver told them to get off and they would be staying there. The male driver showed them which room they would sleep in and provided food twice a day. The male driver allowed him to shower and also washed his cloth. The male driver told them not to go outside and only stay in the room except to use restroom and to get food. At the house, Lopez claimed a lady prepared and gave them food.

Lopez identified De La Cruz, through a photo lineup, as the male driver that picked him up and took him to the trailer.

Lopez identified Rosales, through a photo lineup, as the lady that provided food.